REMARKS

Claims 1-72 are pending in the present application. No amendments to the claims or specification have been made in this Response.

Applicants thank the Examiner for the comprehensive consideration of the claims and the response submitted to the first Office Action.

Rejections Under 35 USC 103(a)

Claims 1-72 have been rejected under 35 USC 103(a) as being unpatentable over Turnbull (US Patent 5,208,765), previously of record, in view of Fahey (US Patent 5,970,476). Applicants respectfully traverse this rejection on the basis that the combination of Turnbull and Fahey do not establish a *prima facie* case of obviousness because they do not teach or suggest all of Applicants' claim limitations. Even if Turnbull and Fahey were combined, they would not suggest, or make obvious, Applicants' claimed invention to one of ordinary skill in the art.

I. Claims 1, 13-14, 31, and 55:

A.The term "Requirements" as claimed in Applicants' invention has a distinctly different meaning than the "requirements" of Turnbull.

The system described by Turnbull is directed towards management of the process of product development, wherein the various stages and requirements refer to stages in specific operations in need of completion as part of that process. The term "requirements" as used in Turnbull refer to process stages or steps that need to be completed to fulfill a particular stage.

See Column 3, lines 19-25, wherein Turnbull describes a tool for (i) *determining status of product development*, (ii) providing product documentation (iii) providing controlled predictable manufacturing.

As disclosed at Col. 3, lines 25 – 39, the Turnbull system includes a product control matrix for (i) *indicating status of product development* (emphasis added) (ii) integrating operations in product development and/or product production; (iii) *denoting the stages in product development/production and the "requirements" within each stage*; (iv) providing a uniform set of requirements for the development/production of all products; and (v) generating detailed documentation describing the development, testing, functionality, reliability, features, and capabilities of each product.

2

Exemplary stages include Design stage, Engineering Samples stage, Development Product stage, and several production stages. Each stage includes a set of the "requirements" defining the product development operations in that stage. *Each requirement has a unique identifier and an indicium which is capable of indicating the completion status of the requirement.* (Col 2, lines 27-35). Thus, the "requirement" in Turnbull - identified by a, "identifier" and an "indicium" - refers to a process-type step which is capable of being indicated as being either completed or uncompleted.

This is in contrast to Applicants' invention, which is directed toward management of the technical data describing the particular product and/or packaging for the product. As used in Applicants' claims and specification, the term "requirements" refers to characteristics of the product, such as material, product, package, or artwork specifications, or the like. See, for example Applicants' specification at page 4, lines 25 – 28, "...a system and method for managing product development including storing technical requirements data for a product including product data, material data, and packaging data...." Figure 1 of Applicants' application provides as overview of various technical standards, or "requirements", used in a system for managing product development. These include, for example, product-related data such as formula card, raw mix, base formula, raw material specs, packing material specs, etc.

In summary, a "requirement" in Turnbull is something, such as a stage or gate, that can be completed or fulfilled. A "requirement" as used in Applicants' invention means a product specification or standard. Since the meaning of "requirement" of Applicants' claims is distinctly different from that of Turnbull, Applicants' respectfully assert that the combination of Turnbull in view of Fahey does not present a prima Facie case of obviousness for the pending claims.

B. Turnbull/Fahey would not teach or suggest one of ordinary skill in the art to modify Turnbull in a manner that would provide the benefits of the claimed invention.

According to one aspect of Applicants' invention, technical requirements data is provided in a structured relational database. This can provide new and unobvious functionality – including for example, the ability for system users across a variety of different locations, regions, geographies, and computer systems to access, input, modify, and the technical requirements (wherein technical "requirements" includes product and or package data, as discussed above, as opposed to process step and corresponding completion status). (Note – In addition to the above, Applicants' system can also manage the product development approval process.)

3

If, *in arguendo*, one were to combine the teachings of Fahey (structured relational database) with the system described in Turnbull, it would not be obvious to one of ordinary skill in the art how to combine the references in a way that provided Applicants' invention. As discussed above, the invention of Turnbull relates to a method of monitoring product development status (See Col. 2, lines 21 – 22). The process relates to a system involving monitoring a series of stages having "requirements", wherein the "requirements" are indicated as being completed or not completed. Thus, if one of ordinary skill in the art were to combine these two references, Applicants maintain that the end-result of that combination would be system wherein the stage requirements to be completed, and related status of completion, were implemented in the format of structured data in a structured relational database. This combination, however, would remain distinctly different from Applicants' invention, wherein the requirements incorporated in structured data form (and in the structured relational database) constitute technical data pertaining to the product, *per se* (or other technical data pertaining to the packaging, artwork, etc.).

Even where Turnbull discloses product design specifications, it does so in the context of *requirements that must be met*, not in the context of a system that records technical data, per se, relating to products that are determined as they are developed or determined. It would not have been obvious to modify Turnbull by combining it with a structured relational database wherein the development of the product data, per se, was incorporated in data structure form instead of the stage data, or status of completion of data.

C. Turnbull does not Disclose Linking Structured Product Data with Unstructured Documents, as required in Applicants' Claims

The product control matrix (100 of Figure 2) of Turnbull works in conjunction with a data and result documentation database (110, of Figure 2). A person desiring to know the status of the product development can access the product control matrix to determine if requirements have been met. The person can also access the data and results for each of the completed requirements. See Col 4, lines 14 – 34.

Applicants' invention can provide the link between structured product data and unstructured documents, for example, to enable a user of the system who accesses or uses structured data to quickly and easily obtain a copy of an entire document that relates to the structured data. Such a document may contain additional information that is stored in structured data form, or may be a document that must be retained for other purposes.

4

Appl. No. 09/805,791
Atty. Docket No. 8381
Amdt. Dated October 10, 2003
Reply to Office Action of 04/10/2003
Customer No. 27752

The Office Action indicates that Turnbull discloses linking unstructured documents (Col. 24, lines 28-38, Turnbull) to technical requirements data (see 100, Fig. 2, Turnbull). However, Turnbull does not suggest linking "structured" product data (or other "requirements data" as defined by Applicants) with "unstructured" documents as claimed in the present invention.

Applicants assert, respectfully, for the reasons discussed above that the suggested combination of Turnbull and Fahey would not suggest or make obvious the claimed invention to one of ordinary skill in the art.

Remaining Rejections of the Dependent Claims

Applicants respectfully maintain that all of such dependent claims are patentable over the cited art for the same reason as discussed above in connection with the dependent claims.

Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejection under 35 USC 103(a). Applicants respectfully request reconsideration of this application and allowance of Claims 1-72.

Respectfully submitted,

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5